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INTEGRATION OF THE HUMAN RIGHTS OF WOMEN AND THE GENDER PERSPECTIVE: VIOLENCE AGAINST WOMEN

Written statement*/ submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[5 February 2001]

*/ This written statement is issued, unedited, as received from the submitting non-governmental organization(s).

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Violence against Tamil women in Sri Lanka

The Society for Threatened Peoples is concerned with the violations of human rights of Tamil women in Sri Lanka perpetrated by the country's security forces, including its armed militias. While these violations occur in the framework of the ongoing war, they can by no means be justified on that ground, explained away as individual transgressions or as acts that the government is vigorously opposed to and seeks to eradicate with all legal powers at its disposal. On the contrary, they are an expression of the discrimination against a whole people, part of a strategy of war and in its gender based nature part of a systemic structural relationship of domination and subjugation based on racism.

1. In the course of a decades long process of systematically favouring the majority Sinhalese accompanied by violence and bloody pogroms against the Tamil minorities, the latter after having exhausted all parliamentary as well as extraparliamentary, peaceful means to redress their situation of discrimination, have resorted to arms. This war that has been raging the North and East of the country, which for the Sri Lankan Tamils is their traditional homeland, has claimed more than 55 000 dead, over half a million expatriates and over 700 000 internally displaced persons. In the more than 16 years of war, the last five years have been the bloodiest of all, carried on by a government that having come to power with the support of the Tamils, exchanged its promise of peace against a policy of 'war for peace' based on a strategy of terrorization of the civilian population and of the military annihilation of the armed Tamil groups. As everywhere in modern war, it is the weakest section of the population that has suffered the most: 90 % of the war victims are Tamil civilians, in their majority women and children. Moreover, thousands of women have been made widows, most of them in their early twenties who with or without small children are driven into destitution, left to fend for themselves in a countryside that is ruined, under continuous threat of indiscriminate bombings and constant harassment by the armed forces and their militias.

   To blame the organization of the militant Tamils for the fate of their women would not only mean to generally negate the historical causes leading to the radicalization in the demands and means of struggle employed by the Tamils, the responsibility for which must squarely be put on the Sinhalese and their successive governments. More specifically, it would also imply to be misled by the present government's pretense at searching a political solution in form of its much propagated 'devolution package'.

2. In the course of the war, 700.000 people have been displaced. Many have for years now lived in unbearable circumstances in the North of the island, the Vanni, whose population has more that doubled over a few years by the influx of hundreds of thousands of refugees practically without own means of livelihood and, therefore, dependent on government support. It is precisely this need for survival that the government in Colombo exploits by an economic embargo, that includes fertilizer, fuel and agricultural machinery, and by withholding the necessary amount of food, of medicine and of medical supplies and equipment. In the name of 'dual use' materials and of cutting off the enemy's supply lines, the civilian population is held hostage to a government strategy that seeks to force a population made desperate by hunger and sickness into subjugation. The 'war for peace' strategy is being accompanied by an arsenal of non-military, but nontheless deadly, weapons, directed against the civilian population. Both, the means, i.e. food and medicine, as well as the target population, namely women and children, used in this war violate -as Paul Houston has shown- the international conventions on war and humanitarian law to which Sri Lanka officially adheres.

3. Ida Carmelitta, Mrs.Sarathambal, Ms.Pushpamalar, these three women aged between 12 and 29 years have been cited by the UN's Special Rapporteur on Violence against Women already last year as having been killed before –alledgedly- being raped, even gang-raped by members of the Sri Lankan army. According to documentary evidence, during the last five years a Tamil woman was raped on average every two weeks. The real number must still be considerably higher: not so much because the social stigma condemns those women to silence, but more so because a complaint would have to be lodged with the army, i.e. the organisation to which the culprit belongs and which typically protects the perpetrator. In over fifty years of discrimination, sexual harassment, rape and murder committed by Sinhalese soldiers against Tamil woman only a single case, the one of Krishanty Kumaraswamy, has been brought to court, those responsible apprehended and condemned. It by no means signales an end to 'the climate of impunity' other UN rapporteurs have talked about. It can't, because notwithstanding the Geneva Convention of 1949 and Humanitarian Law, in Sri Lanka as elsewhere, rape has been resorted to as a weapon of war.

The Society for Threatened Peoples in accordance with its mandate lends a voice to persecuted suffering peoples, here the Tamils, who are not officially represented here, and can not, therefore, speak for themselves. War has a face, a priviledged target, a principal victim – here the Tamil women. The facts and arguments stated above are not new to this Commission. On the contrary, they have all been taken from the UNCHR's official reports, those of its specially appointed rapporteurs or from documents submitted to it by NGOs. In other words, all has been known for years, the war, the massive human rights violations, the legal framework which allows for their systematic perpetration by the state, and its security forces, i.e. the Emergency Regulations, the Prevention of Terrorism Act, Press Censorship.